

EXHIBIT 1

FILED

JUN 27 2019

AT COVINGTON
ROBERT R. CARR
CLERK U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
NORTHERN DIVISION at COVINGTON

INDIANA STATE DISTRICT COUNCIL OF)	Civil Action No. 2:06-cv-00026-WOB-CJS
LABORERS AND HOD CARRIERS)	(Consolidated)
PENSION AND WELFARE FUND, On)	
Behalf of Itself and All Others Similarly)	<u>CLASS ACTION</u>
Situated,)	
Plaintiff,)	
vs.)	
OMNICARE, INC., et al.,)	
Defendants.)	

ORDER AWARDING ATTORNEYS' FEES AND EXPENSES

This matter having come before the Court on June 27, 2019, on the motion of counsel for the Lead Plaintiff for an award of attorneys' fees and expenses incurred in this action, the Court, having considered all papers filed and proceedings conducted herein, having found the settlement of this action to be fair, reasonable and adequate, and otherwise being fully informed in the premises and good cause appearing therefore;

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. All of the capitalized terms used herein shall have the same meanings as set forth in the Stipulation of Settlement dated February 5, 2019 (the "Stipulation"). ECF No. 315-4.

2. This Court has jurisdiction over the subject matter of this application and all matters relating thereto, including all members of the Settlement Class who have not timely and validly requested exclusion.

3. The Court hereby awards Lead Counsel attorneys' fees of one-third of the Settlement Amount, and litigation expenses in the amount of \$1,544,894.64, together with the interest earned thereon for the same time period and at the same rate as that earned on the Settlement Fund until paid. Said fees and expenses shall be allocated amongst counsel in a manner which, in Lead Counsel's good faith judgment, reflects each such counsel's contribution to the institution, prosecution and resolution of the Litigation. The Court finds that the amount of fees awarded is fair and reasonable under the "percentage-of-recovery" method considering, among other things, the following: the highly favorable result achieved for the Settlement Class; the contingent nature of Plaintiffs' Counsel's representation; Plaintiffs' Counsel's diligent prosecution of the Litigation; the quality of legal services provided by Plaintiffs' Counsel that produced the Settlement; that the Lead Plaintiff appointed by the Court to represent the Settlement Class and the named plaintiff both approved the requested fee; the reaction of the Settlement Class to the fee request; and that the

awarded fee is in accord with Sixth Circuit authority and consistent with other fee awards in cases of this size.

4. The awarded attorneys' fees and expenses shall be paid to Lead Counsel immediately after the date this Order is executed subject to the terms, conditions and obligations of the Stipulation and in particular ¶6.2 thereof, which terms, conditions and obligations are incorporated herein.

5. Pursuant to 15 U.S.C. §77z-1(a)(4), Lead Plaintiff Laborers District Counsel Construction Industry Pension Fund is awarded \$5,200.00 and named plaintiff Cement Masons Local 526 Combined Funds is awarded \$2,520.40 as payment for their time spent in representing the Settlement Class.

IT IS SO ORDERED.

DATED: 6/27/19

William O. Bertelsman
THE HONORABLE WILLIAM O. BERTELSMAN
UNITED STATES DISTRICT JUDGE